

**Duke, Daphne**

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**From:** Boyd, Jocelyn  
**Sent:** Monday, June 01, 2009 8:47 AM  
**To:** Duke, Daphne; DeSanty, Tricia  
**Subject:** FW: Message from Sue Schneider - Spartanburg Water

Please post in Docket No. 2006-107-WS.

**From:** Butler, David  
**Sent:** Friday, May 29, 2009 2:07 PM  
**To:** Boyd, Jocelyn  
**Subject:** FW: Message from Sue Schneider - Spartanburg Water

Jocelyn:

Here is an e-mail chain that I thought I had better forward to you. As you can see it started with an attempted e-mail communication with the Chairman, and proceeded from there. The Chairman did not see the message. I didn't know if you needed to post it on DMS or not under the circumstances.

David

**From:** Butler, David  
**Sent:** Friday, May 29, 2009 2:04 PM  
**To:** Gates, Nina; 'Sue Schneider'  
**Cc:** 'Evins, III, T. Alexander'; 'npressley@sws-sssd.org'  
**Subject:** RE: Message from Sue Schneider - Spartanburg Water

Ms. Schneider:

Nina Gates, Administrative Assistant to Chairman Fleming, has passed your e-mail to the Chairman to me for response. Act 175 of 2004 prohibits direct contact by a potential party to a matter that may come before the Commission with a member of the Commission unless all parties are included in the communication. Accordingly, your message was intercepted prior to being received by Chairman Fleming. Ms. Schneider, I would note by way of procedure that the transaction that you describe in your e-mail must be examined and approved by the Commission (if appropriate) before it may take place in the manner in which you describe it. I would urge you to have your attorney contact counsel for United Utilities about filing the appropriate application with the Commission, with copies to the Office of Regulatory Staff, so that the matter can be properly considered.

Thank you for your consideration in this matter.

David Butler  
Senior Counsel

**From:** Gates, Nina  
**Sent:** Friday, May 29, 2009 1:48 PM  
**To:** Sue Schneider  
**Cc:** Evins, III, T. Alexander; npressley@sws-sssd.org; Butler, David  
**Subject:** RE: Message from Sue Schneider - Spartanburg Water

Ms. Schneider,

In March 2004 the General Assembly enacted legislation that mandated that the Commission take on an exclusively judicial role; they must be exempt from ex parte communication regarding pending cases or cases that may come before the Commission. Chairman Fleming's e-mails are automatically redirected to

me and I have provided the Commission's Senior Counsel, David Butler with a copy of this e-mail. He will contact you concerning the action I've taken.

**From:** Sue Schneider [mailto:sschneider@sws-sssd.org]  
**Sent:** Wednesday, May 27, 2009 9:34 PM  
**To:** Chairman.Fleming  
**Cc:** Evins, III, T. Alexander; npressley@sws-sssd.org  
**Subject:** Message from Sue Schneider - Spartanburg Water

Dear Chairman Fleming,

I wanted to let you know about an issue that Spartanburg Sanitary Sewer District (SSSD) is involved in. At the request of a number of residents in the Riverforest Subdivision, SSSD has been in discussions with United Utilities, Inc. regarding the purchase of that collection system and an adjacent collection system in the Stone Creek Subdivision. This process has continued for approximately two years and involved correspondence to all the residents in both subdivisions gauging their interest in being served by Spartanburg Sanitary Sewer District. As a result of their feedback to us, the Spartanburg Sanitary Sewer District has reached an agreement for the purchase of the systems from United Utilities, Inc. This purchase affects approximately 312 residents. If all goes as scheduled, I would expect that the transaction would be completed this month and the residents of Riverforest and Stonecreek Subdivisions would be served by SSSD, beginning July 1. As soon as the contract is finalized, SSSD will send a letter out to the residents.

Because this acquisition involves privately owned collection lines in Spartanburg County, I wanted to be sure that you were aware of the transaction in case you are asked about it. This email is not a substitute for any communication that United Utilities, Inc. may need to make to the Public Service Commission. Alex Evins, of Parker, Poe, Adams & Bernstein, is representing SSSD with this transaction. If you or the Public Service staff have any questions about this transaction, please call me anytime.

Sue G. Schneider, General Manager  
Spartanburg Water  
P.O. Box 251  
Spartanburg, SC 29304  
Office (864) 580-5647  
Cell (864) 680-6781

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